

REMARKS/ARGUMENTS

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

Claims 1-6, 8-20, and 22-29 are pending in the present application. By this response, claims 1, 8, 9, 15, 18, 22, 23, and 29 are amended and claims 7 and 21 are canceled. Claims 1, 15, and 29 are amended to recite subject matter similar to "wherein if the problem condition is determined to be present, setting a control bit in the processor indicating that a chase tail operation is to be performed with reload operations of a cache; and wherein if the problem condition is determined to be absent, terminating the processing of the at least one instruction." Support for these amendments may be found in canceled claims 7 and 21 and at least on page 98, lines 20-24 of the specification. Claims 8, 9, 22, and 23 are amended for dependency in view of the cancellation of claims 7 and 21. Claim 18 is amended for clarity in view of the amendments to claim 15. Reconsideration of the claims in view of the above amendments and the following remarks is respectfully requested.

I. Examiner Interview

Applicants thank Examiner Lai and Examiner Fleming for the courtesies extended to Applicants' representative during the July 12, 2006 telephone interview. During the interview, the objection to the drawings was discussed. Applicants' representative pointed to the location in the specification where element 260 was discussed. Also, during the interview, suggestions to amend the present application to overcome the 35 U.S.C. § 101 rejections were discussed. Amendment to claims 1, 15, and 29 were discussed so that the claims would have a tangible result. Examiner Lai indicated that a tangible result would be needed in response to a problem condition existing and a problem condition is absent. Thus, claims 1, 15, and 29 are amended to recite subject matter similar to "wherein if the problem condition is determined to be present, setting a control bit in the processor indicating that a chase tail operation is to be performed with reload operations of a cache; and wherein if the problem condition is determined to be absent, terminating the processing of the at least one instruction." Claim 15 is further amended to recite "A computer program product in a recordable-type computer readable medium..." The Examiners stated these amendments would overcome the 35 U.S.C. § 101 rejection. Also during the interview, proposed amendments to claims 1, 15, and 29 were discussed. Examiner Lai stated he would consider the proposed amendments. The substance of the interview is summarized in the remarks of sections that follow.

II. Drawings

The Office objects to the Drawings as including reference character(s) not mentioned in the description, specifically, element 260 of Figure 2. Applicants respectfully direct the Office to page 24, lines 12 and 15, and page 25, line 3 of the specification where element 260 is mentioned. In view of the above, Applicants respectfully request the objection to the Drawings be withdrawn.

III. 35 U.S.C. § 101

The Office rejects claims 1, 3-8, 15, 17-22, and 29 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. By this response, claim 1, 15, and 29 are amended to recite in part subject matter similar to “wherein if a problem condition is determined to be present, setting a control bit in the processor indicating that a chase tail operation is to be performed with reload operations of a cache.” Applicants respectfully submit that setting a control bit in the processor indicating that a chase tail operation is to be performed with reload operations of a cache has a practical application and is in the technical arts. Since claims 3-6, 8, 17-20, and 22 depend from claims 1 and 15, Applicants respectfully submit these claims also have practical application and are in the technical arts. Therefore, Applicants submit that claims 1, 3-8, 15, 17-22, and 29 are statutory and Applicants respectfully request the withdrawal of the rejection of claims 1, 3-8, 15, 17-22, and 29 under 35 U.S.C. § 101.

The Office rejects claims 15-28 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. By this response, claim 15 is amended to recite “A computer program product in a recordable-type computer readable medium...” Therefore, Applicants respectfully submit that independent claim 15 is statutory. Thus, Applicants respectfully request withdrawal of the rejection of claims 15-28 under 35 U.S.C. § 101

IV. Allowable Subject Matter

Applicants thank Examiner Lai for indicating the subject matter of claims 6-8 and 20-28 allowable. By this response, claims 1, 15, and 29 are amended to incorporate the allowable subject matter. Accordingly, Applicants respectfully submit that claims 2-6, 8-14, 16-20, and 22-28 are also allowable and the subject application is now in condition for allowance.

V. Objection to Claims

The Office states that claims 6-14 and 20-28 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the claims have been rewritten to overcome this objection.

VI. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE:

July 26, 2006

Respectfully submitted,

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